IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1118 of 2007()

CRIME NO.177/01 OF OCHIRA POLICE STATION

: PETITIONER/1ST ACCUSED.

SULAIMAN KUNJU, AGED 50,
RAFFI BROTHERS, MEMANA MURI,
OCHIRA, KOLLAM DISTRICT.

BY ADV. SRI.V.PHILIP MATHEW

RESPONDENTS: COMPLAINANT.

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1118 OF 2007

Dated this the 27th day of February, 2007

O R D E R

Petitioner, who is the first accused in Crime No.177/2001 of Ochira Police Station for an offence punishable under Section 498A read with section 34 IPC, seeks anticipatory bail.

2. Consequent to the non-appearance of the petitioner in C.C.No.1327/2001 on the file of the JFCM, Karunagappally, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the trial court and seek regular bail. Accordingly, if the petitioner surrenders before the concerned Magistrate and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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